

ALCOHOL AND TOBACCO COMMISSION

July 5, 2016

10:00 A.M.

1. Call to Order and Noting of Quorum –
2. Disposition of Minutes

June 21, 2016

June 30, 2016

3. Prosecutor's Recommendations –

PAD Forms

4. Hearing Judge's Recommendations –

5. Consideration of Applications -

754 Renewals

39 New/Transfers

8 Catering

7 1<sup>st</sup> Year Escrow

5 2<sup>nd</sup> Year Escrow

5 3<sup>rd</sup> Year Escrow

3 4<sup>th</sup> Year Escrow

8 New/Renewal Carriers

49 New/Renewal Direct Wine Shippers

6. Renewal Letters and Waiver of Fees for Letters of Extension -

7. Applications for Discussion –

RR49-28549 Suite 38, Inc. – Renewal with LB voting 3-1 to approve

RR77-32509 Town of Shelburn – New with the LB voting 4-0 to approve

8. Inactive Files--

10 Permits Subject to Auction

55 Permits Not Subject to Auction

9. Old Business -

BR1821257 Trevor J Schiro – probationary employee not provided proof of completion

10. New Business –

11. Policy Determinations –

12. Announcements -

13. Adjournment

MINUTES

ALCOHOL AND TOBACCO COMMISSION

JULY 5, 2016

**CALL TO ORDER/NOTING OF QUORUM**

Chairman Cook called the meeting to order and noted the quorum and the attendance. Present were Vice Chairman Coleman, Commissioner Maginn and Commissioner Grubb. Executive Secretary Rothenberg, Prosecutor Mader, Commission Counsel Allen, Superintendent Strittmatter and Master Officer Bedwell were also in attendance.

Greg Genrich, Dan DeRoziere, Brooke Barnett, Katie Maddox, Diane Masariu, Marc Carmichael, Davey Neal, Angela Matney and Tony Mitson were present as observers.

**DISPOSITION OF MINUTES**

Vice Chairman Coleman moved to approve the minutes from the June 21 & June 30, 2016 meetings. Commissioner Maginn seconded. The motion was unanimously approved.

**PROSECUTOR'S RECOMMENDATIONS**

PARTIES' AGREED DISPOSITIONS – Prosecutor Mader recommended the Commission approve the 79 Parties' Agreed Dispositions that were submitted, totaling approximately \$21,375.00 in fines.

Commissioner Maginn moved to approve the Dispositions that were submitted for the July 5, 2016 meeting. Commissioner Grubb seconded. The motion was unanimously approved.

**HEARING JUDGE'S RECOMMENDATIONS**

No Hearing Judge's Recommendations

**CONSIDERATION OF APPLICATIONS**

Commissioner Grubb moved to approve and incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by our staff with the authority of the commission and hereby move for approval of same and the inclusion of these lists as part of the minutes. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve and incorporate by reference these lists of permit applications for a new permit, or applications for changes in location or ownership or both of existing permits, which have been recommended by local boards and reviewed by at least two commissioners and hereby move for approval of same, pending final floor plan approval by the Indiana State Excise Police, and inclusion of these lists as part of the minutes. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve and incorporate by reference these lists of applications for catering. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve and incorporate by reference these lists of permits to be placed in escrow for not more than five years, which have been reviewed and recommended by a commissioner as appropriate for escrow and hereby move for approval of same and the inclusion of these lists as part of the minutes. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve the new and renewal carrier permits. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve the new and renewal direct wine shipper permits. Commissioner Maginn seconded. The motion was unanimously approved.

Seven hundred fifty-four (754) renewals approved, thirty-nine (39) new and/or transfer applications approved, eight (8) permits approved for catering, seven (7) permits approved for first year escrow, five (5) permits approved for second year escrow, five (5) permits approved for third year escrow, three (3) permits approved for fourth year escrow, eight (8) new and renewal carrier permits approved, and forty-nine (49) new and renewal direct wine shipper permits approved.

#### **RENEWAL LETTERS AND WAIVER OF FEES**

Vice Chairman Coleman moved to approve the renewal and fee waived letters of extension for the preceding weeks. Commissioner Maginn seconded. The motion was unanimously approved.

#### **APPLICATIONS FOR DISCUSSION**

RR49-28549 SUITE 38 – Chairman Cook noted this is a renewal with the local board voting 3-1 to approve. This was continued from the last meeting.

Vice Chairman Coleman moved to continue this matter because the Commission has not had time to review the record. Commissioner Maginn seconded. The motion was unanimously approved.

RR77-32509 TOWN OF SHELburn – Chairman Cook noted this is a new application with the local board voting 3-0, with one abstention, to approve.

Commissioner Maginn stated she reviewed the record. The town of Shelburn wants to turn an old depot into a restaurant. Remonstrators from a church that is in close proximity to the depot were present and submitted petitions at the local board meeting. They appear to be against any establishment that serves alcohol.

Commissioner Maginn moved to uphold the local board's recommendation to approve the new permit. Vice Chairman Coleman seconded. The motion was unanimously approved.

**INACTIVE FILES**

Commissioner Grubb moved to make sixty-five (65) permits inactive. Fifty-five of the permits are not subject to auction and ten permits are subject to auction. Commissioner Maginn seconded. The motion was unanimously approved.

**OLD BUSINESS**

BR1821257 TEVOR J SCHIRO – Commissioner Grubb moved to revoke this employee permit for non-compliance with IC 7.1-3-18-9.5, providing proof of completion of an alcohol treatment program. Commissioner Maginn seconded. The motion was unanimously approved.

**NEW BUSINESS**

No New Business

**POLICY DETERMINATIONS**

No Policy Determinations

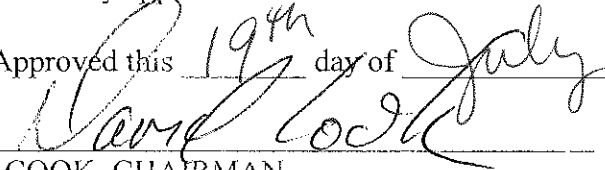
**ANNOUNCEMENTS**


No Announcements

**ADJOURNMENT**

Vice Chairman Coleman moved to adjourn the meeting. Commissioner Maginn seconded. The motion was unanimously approved.

Approved this 19<sup>th</sup> day of July, 2016.

  
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DAVID COOK, CHAIRMAN

  
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DAVID COLEMAN, VICE CHAIRMAN

  
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DALE GRUBB, COMMISSIONER

  
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MARJORIE MAGINN, COMMISSIONER